

MESSAGE NO: 7177201 MESSAGE DATE: 06/26/2007

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-580-601

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2006 TO 12/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR TOP-OF-THE STOVE STAINLESS STEEL  
COOKING WARE FROM KOREA (A-580-601)

MESSAGE NO: 7177201

DATE: 06 26 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 580 - 601

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PERIOD COVERED: 01 01 2006 TO 12 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR TOP-OF-THE STOVE STAINLESS  
STEEL COOKING WARE FROM KOREA (A-580-601)

1. ON 07/25/2000, THE DEPARTMENT NOTIFIED U.S. CUSTOMS AND  
BORDER PROTECTION (CBP) OF THE PRELIMINARY INJUNCTION ISSUED BY  
THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ENJOINING  
LIQUIDATION OF CERTAIN ENTRIES WHICH ARE SUBJECT TO THE  
ANTIDUMPING DUTY ORDER ON TOP-OF-THE STOVE STAINLESS STEEL  
COOKWARE FROM KOREA (CASE NUMBER A-580-601), MANUFACTURED OR  
EXPORTED BY CHEFLINE CORPORATION, DAELIM TRADING CO., LTD., DONG  
WON METAL CO., LTD., HAIDONG STAINLESS STEEL CO., LTD.,  
KITCHENFLOWER CO., LTD., O'BOK STAINLESS STEEL CO., LTD., AND

SAM YEUNG INDUSTRIAL CO., LTD., AND ENTERED, OR AFTER  
01/01/2000. SEE MESSAGE NUMBER 0207201.

ON 08/05/2002, THE CIT AFFIRMED THE REMAND DETERMINATION OF THE  
INTERNATIONAL TRADE COMMISSION (ITC). SEE SLIP OP. 02-81. THE  
LITIGATION IS NO LONGER PENDING, THEREBY LIFTING THE INJUNCTION.  
THEREFORE, ENTRIES PRODUCED AND EXPORTED BY THE ENTITIES NOTED  
ABOVE, SHOULD BE LIQUIDATED AS INSTRUCTED BELOW.

2. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT  
ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDING/DUTY ORDERS.  
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION  
351. 213 OF THE COMMERCE DEPARTMENT REGULATIONS.

3. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN  
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE  
PERIOD AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN  
ACCORDANCE WITH SECTION 351.212 OF THE COMMERCE DEPARTMENT  
REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON  
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR  
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT  
ON THE DATE OF ENTRY.

TOP-OF-THE-STOVE STAINLESS STEEL COOKING WARE FROM SOUTH KOREA  
A-580-601 (01/01/2006 - 12/31/2006)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF  
ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 01/01/2006  
THROUGH 12/31/2006 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF  
INITIATION OF ADMINISTRATIVE REVIEW FOR THE 01/2007 ANNIVERSARY  
MONTH (72 FR 8969, 02/28/2007). YOU SHALL CONTINUE TO COLLECT  
CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT  
ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CPB ON SHIPMENTS OR  
ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF

SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O6:MD).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party